

*(OPEN COURT)*

**CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH  
ALLAHABAD**

This is the 27<sup>TH</sup> day of **NOVEMBER, 2018**.

**ORIGINAL APPLICATION NO. 330/1103/2018**

**HON'BLE MR JUSTICE BHARAT BHUSHAN, MEMBER (J)  
HON'BLE MR GOKUL CHANDRA PATI, MEMBER (A)**

1. Mohd. Umar Khan Son of Abbas Khan, Resident of 467 Outside Sainyer Gate Jhansi.  
.....Applicant.

**VERSUS**

1. Union of India through its General Manager, North Central Railway, Allahabad.
2. Chief Engineer (Construction), Head quarter Office, North Central Railway, Jhansi.
3. Deputy Chief Personnel Officer (Construction), Head Quarters Office, North Central Railway, Allahabad.
4. Dy. Chief Engineer (Construction), North Central Railway, Jhansi.  
.....Respondents

Advocate for the Applicant : Shri Rakesh Kumar Shukla

Advocate for the Respondents : Shri Shesh Mani Mishra

**ORDER**

**(Delivered by Hon'ble Mr. Justice Bharat Bhushan, Member-J)**

Shri Rakesh Kumar Shukla, learned counsel for the applicant and Shri Shesh Mani Mishra, learned counsel for the respondents are present.

2. No short counter has been filed by the respondents.
3. The applicant has filed this OA for following reliefs:-

"(a) Pass an order or direction to the respondents to consider the claim of applicant in view of the judgment and order dated 23.05.2018 passed in original application No. 1390 of 2009 (Prem Narayan Vs. Union of India and others) within short span of time.

(b) Pass an order or direction to revise the pay scale of applicant giving effect to the order no. 72 of 2002 dated 13.12.2002 and pay the arrears arise along with interest and other consequential benefits to the applicant within stipulated period.

(c) Issue any other suitable order or direction as this Hon'ble Tribunal may deem fit and proper under the facts and circumstances of the case.

(d) Award cost of the application in favour of applicant."

4. Learned counsel for the applicant submitted that this case is similar to the case of OA No. 1390 of 2009 – Prem Narain Vs Union of India and

others which has already been decided by this Tribunal vide order dated 23.05.2018 (Annexure No. A-10 to the OA).

5. Learned counsel for the applicant submitted that the applicant has already filed a representation dated 02.06.2018 (Annexure No. A-12 to the OA) with this prayer before the Respondent No. 2, which has not yet been decided.

6. Learned counsel for the respondents seeks some time to file short counter affidavit.

7. We think, it is not necessary to grant any further time to file short counter reply at this stage as sufficient time has already been granted.

8. Considering the facts and circumstances of the case, we are of the view that no useful purpose will be served in keeping this OA pending.

9. Accordingly, the respondent no 2/competent authority is directed to decide the representation dated 02.06.2018 by passing a reasoned and speaking order in the light of the judgement dated 23.05.2018 passed in OA No. 1103 of 2018 – Prem Narain Vs Union of India and others within three months from the date of receipt of certified copy of this order. Learned counsel for the applicant is also directed to give a copy of this order to respondent no. 2/competent authority.

10. With the above directions the OA is disposed of. No order as to cost. It is made clear that we have not entered into the merits of the case.

**(GOKUL CHANDRA PATI)**  
**MEMBER-A**

**(JUSTICE BHARAT BHUSHAN)**  
**MEMBER-J**

Arun..